

REMARKS

Applicant has considered and studied the Office Action dated March 9, 2005. Claims 1-18 are pending. Claims 1-14 and 17-18 are rejected. Claims 15 and 16 have been objected to. Claim 2 has been amended to correct informalities. Claim 15 has been rewritten in independent format. No new matter has been added with the amendments to the claims. Applicant respectfully requests reconsideration of the application in light of the following remarks.

§ 102(e) Rejection

Claims 1-14 and 17-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Gerszberg et al. The rejection is respectfully traversed.

A proper rejection for anticipation under § 102 requires complete identity of invention. The claimed invention, including each element thereof as recited in the claims, must be disclosed or embodied, either expressly or inherently, in a single reference. Scripps Clinic & Research Found. v. Genentech Inc., 927 F.2d 1565, 1576, 18 U.S.P.Q.2d 1001, 1010 (Fed. Cir. 1991); Standard Havens Prods., Inc. v. Gencor Indus., Inc., 953 F.2d 1360, 1369, 21 U.S.P.Q.2d 1321, 1328 (Fed. Cir. 1991).

Gerszberg teaches or suggests a twisted pair and/or coaxial cable fed, integrated residence gateway providing a plurality of services (Abstract). In particular, the plurality of services is provided by a variety of network interface devices 110. The variety of network interface devices 110 are connected to a system bus 111.

The network interface devices 110 include an integrated services digital network (ISDN) interface 113, an Ethernet interface 119, an IEEE 1394 "fire wire" interface 112, a xDSL/cable modem interface 114, a residential interface 115, a business interface 116, a radio frequency (RF) audio/video interface 120, and a cordless phone interface 123 (col. 9, lines 60-67). Connected to one of the network interface devices 110 and/or the system bus 111 may be any number of devices such as an audio interface 122, a digital phone 121, a videophone/user interface 130, a television set-top device 131 and/or other devices (col. 10, lines 1-15).

A processor 102 may be connected to the network interface devices 110 (See Fig. 2 of Gerszberg). “[T]he processor 102 may be configured to reconstruct Ipv6 packets from DSL frames, and separate IP packets containing voice from those containing data from those containing signaling” (col. 18, lines 33-36). “This process may involve, for example,

multiplexing . . . voice, data, and subscriber signaling packets bound for a single DSL line with IP packets mapped onto DSL frames” (col. 18, lines 33-42). The process of packet mapping is disclosed in Fig. 4A of Gerszberg.

More specifically, Fig. 4A of Gerszberg illustrates data transmitted/received using a router & facilities interface 86. A controller & multiplexor 84 multiplexes or demultiplexes data that passes through digital filters 82. The digital filters 82 are connected to one or more TVRC modems 80. The one or more TVRC modems 80 communicate signals to an access module 71. The access module 71 has outputs 30 that are connected to one or more subscriber lines 30. Multiple TVRC modems 80 connect to local exchange facilities for communicating data (Fig. 8 of Gerszberg.) These teachings are similar to those demonstrated in a related art section of the Specification of the present application.

In the related art example, a conventional access device supports a 10 Base-T data format. However, the conventional access device cannot access the xDSL network without a data conversion process. For instance, the data is transmitted through xDSL modem (Specification, page 4, lines 24-29). In another instance, the 10 Base-T data format is removed and a service function of the access device accesses the xDSL (Specification, page 4, lines 24-29). In the related art, the access device transmits/receives data through a LAN (Original Specification, page 4, lines 19-23). The LAN is similar to the local exchange facilities 580, which is disclosed in Fig. 8 of Gerszberg. In summary, Gerszberg teaches or suggests, as shown in Fig. 4A, network interface devices 110 accessing the DSL network using multiple xDSL modems, e.g., TVRC modems 80.

In contrast to the teachings of Gerszberg, claim 1 recites, “a wide area network access processing module unit . . . [having] a frame conversion processing unit comprising a framer/deframer . . . transmit[s]/receiv[es] [asynchronous transfer mode cells] ATM cells from the central control processing module unit.” The ATM cells are compressed voice data (Specification, page 8, lines 12-18).

Claim 1 further recites the elements of “forming and extracting xDSL frames; an encoder/decoder unit for converting the xDSL frame into a signal usable in an external xDSL network, or the signal from the external xDSL network; and a physical access unit for performing physical layer access interface.”

In summary, claim 1 recites a wide area network access processing unit, having a frame processing unit to convert to/from ATM cells, without requiring (contrary to the Gerszberg system) multiple modems, i.e., the TVRC modems 80, to separately convert data of each specific data physical layer to another specific physical layer of the xDSL format.

Consequently, independent claim 1 should be allowable. Claims 2 and 3 should be allowable by virtue of their dependence on claim 1. Independent claim 4 should be allowable for analogous reasons as it substantially recites the same elements as independent claim 1. Claims 5-14 and 17-18 are allowable by virtue of their dependence on independent claim 4.

Allowable Subject Matter

Claims 15 and 16 are objected but deemed allowable if written in independent form to include all limitations of the base claim and any intervening claims. Claim 15 has been rewritten in independent form as suggested by the Examiner. Therefore, amended claim 15 should be allowable. Claim 16 should be also allowable by virtue of its dependence on claim 15.

CONCLUSION

For the above reasons, Applicant respectfully requests that the Examiner reconsider and withdraw the rejections of the claims and issue a notice of allowance.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein; and no amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have expressly argued herein that such amendment was made to distinguish over a particular reference or combination of references

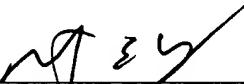
If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,

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Date: June 9, 2005

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